

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 798 – HB 1286

April 16, 2015

SUMMARY OF ORIGINAL BILL: Creates a Class C misdemeanor for obstructing a driveway. Expands obstruction violation to include persons disobeying a property owner's request to move and for when a person is attempting to protect private property rights. Expands the definition of "obstruct" to mean restricting passage with intent to harass. Provides individuals in Williamson County the ability to claim affirmative defense to obstructing violations pursuant to Tenn. Code Ann. § 39-17-307(d).

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (006429): Deletes the provision that added language to the definition of "obstruct" to restrict passage with the intent to harass, and removes the provision which allowed individuals in Williamson County the ability to claim affirmative defense to obstructing violations pursuant to Tenn. Code Ann. § 39-17-307(d). Adds language to the bill to elucidate that the relevant obstruction prohibited is that of a highway or passageway.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note

Assumptions for the bill as amended:

- Based on information provided by the Administrative Office of the Courts, the Department of Safety, and the District Attorneys Conference, any impact on operations is estimated to be not significant.
- The County Technical Assistance Service (CTAS) and the Tennessee Association of Chiefs of Police report no significant impact to local government operations.
- There will not be a sufficient number of additional Class C misdemeanor prosecutions for state or local government to experience any significant increase in revenue or expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

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A handwritten signature in dark ink, reading "Jeffrey L. Spalding". The signature is fluid and cursive, with the first name "Jeffrey" and last name "Spalding" clearly legible.

Jeffrey L. Spalding, Executive Director

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